

4667. Adulteration and misbranding of oil cassia. U. S. v. Hymes Bros. Co., a corporation. Plea of guilty. Fine, \$10. (F. & D. No. 7068. I. S. No. 28032-h.)

On March 6, 1916, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Hymes Bros. Co., a corporation, New York, N. Y., alleging shipment by said company, in violation of the Food and Drugs Act, on March 20, 1914, from the State of New York into the State of Tennessee, of a quantity of oil cassia which was adulterated and misbranded. The article was labeled: "Trade Mark Purity Quality Excellence Oil Cassia Extra Strong Hymes Bros. Co. Importers and Manufacturers New York Guaranteed by Hymes Bros. Co. U. S. Serial No. 18750. Guaranteed under the Food and Drugs Act, June 30, 1906." (On sticker) "Net 2 Lbs."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Specific gravity at 25° C./15.6° C.-----	1.062
Rotation in 100 mm. tube at 26° C. (°V.)-----	+21
Color: Dark red.	
Soluble in two parts of 70 per cent alcohol.	
Becomes solid when shaken with a saturated solution of sodium sulphite.	
Becomes dark brown when treated with a solution of hydrogen sulphid.	
Cinnamic aldehyde (per cent)-----	70.5
Residue of oil was thick and muddy.	
Refractive index at 26° C.-----	1.5955
Test for colophony:	
Residue after distillation (per cent)-----	18.5
Residue was hard and brittle.	
Material distilling between 100° C. and 240° C. (per cent)-----	4
Rotation of distillate between 240° C. and 280° C. (°V.)-----	+2
Lead (parts per million)-----	995
Product was a mixture of oil of cassia and rosin and contained lead.	

Adulteration of the article considered as a drug was alleged in the information for the reason that it was sold under and by a name recognized in the United States Pharmacopœia and differed from the standard of strength, quality, and purity as determined by the tests laid down in said Pharmacopœia, official at the time of investigation of the article, in that the specific gravity of said drug at 25° C. was above 1.055, and was, in fact, 1.062, whereas, said Pharmacopœia provides as a test for oil of cassia that the specific gravity at 25° C. shall be between 1.045 and 1.055; the rotation of said drug was more than 1° and was, in fact, 21°, whereas, said Pharmacopœia provides that the rotation of said drug shall not be more than 1°; said drug contained 70.5 per centum of cinnamic aldehyde, whereas, said Pharmacopœia provides that it should contain not less than 75 per centum; and said drug contained lead, which is not an ingredient of oil of cassia as determined by the test laid down in said Pharmacopœia.

Adulteration of the article considered as a food was alleged for the reason that a substance, to wit, lead, had been mixed and packed therewith so as

to reduce or lower and injuriously affect its quality and strength, and had been substituted, in part, for pure oil of cassia, which the article purported to be; and for the further reason that the said article contained an added poisonous and deleterious ingredient, to wit, lead, which might render it injurious to health.

Misbranding of the article considered as a drug was alleged for the reason that the statement, to wit, "Oil Cassia," regarding it and the ingredients and substance contained therein was false and misleading in that it indicated that said drug was a pure oil of cassia, which is well known to be a drug distillate from cassia and cinnamon, and entirely free from lead, whereas, in truth and in fact, said drug was not a pure oil of cassia, but was an oil of cassia which contained lead.

Misbranding of the article considered as a food was alleged for the reason that the statement, to wit, "Oil Cassia Extra Strong," regarding it and the ingredients and substances contained therein, was false and misleading in that it indicated that the article was pure oil of cassia, and further for the reason that the article was labeled "Oil Cassia Extra Strong," so as to deceive and mislead purchasers into the belief that it was pure oil of cassia, whereas, in truth and in fact, it was not, but was a mixture composed of oil of cassia and lead.

On March 24, 1916, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$10.

CARL VROOMAN, *Acting Secretary of Agriculture.*